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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5125 OF 2007

Association of Engineering Workers & ors. ... Petitioners

V/s

Metal Box India Ltd. & anr. ... Respondents

Mr. Abhay Kulkarni for the petitioners.

Mr. K.S. Bapat i/by M/s. Tejpal & Co. for the respondents.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 21ST AUGUST, 2007.

P.C.:

1. The petitioners challenge the order of the Industrial Court refusing to condone the delay in filing a complaint under Item 9 of Schedule IV of the M.R.T.U. & P.U.L.P. Act. This order is dated 11.6.2007. The complaint was filed because the order dated 3.8.2005 of the Industrial Court passed in Complaint (ULP) No. 867 of 1992 had not been complied by the respondent Company. The respondent Company had filed the writ petition being Writ Petition No. 1929 of 2006 against that order, which has been rejected.

2. In order to put an end to the controversy, Mr. Bapat, appearing for the respondent Company, on instructions from Mr. Ravi Krishna, Chief Financial & Legal Officer of the Company, states that the respondent No.1 will consider the applications of the petitioner Nos. 2 and 3 for V.R.S. and other benefits, like all other employees, as per the agreement entered into with the Metal Box Workers Union, in accordance with the directions of the Industrial Court dated 3.8.2005. He states that any further details or any document which the respondent No.1 might require in order to complete the procedure, would be sought from the petitioner Nos. 2 and 3 which they should produce before the amount can be released. Mr. Bapat submits that the respondents will consider the applications of the petitioners 2 and 3, positively, in accordance with the law and as expeditiously as possible.

3. In view of this statement made by Mr. Bapat, Mr. Kulkarni, advocate for the petitioners seeks liberty to withdraw the petition. Allowed to be withdrawn.

4. Petition dismissed as withdrawn.

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